IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 14TH FEBRUARY 2007 / 25TH MAGHA 1928

Bail Appl..No. 899 of 2007()

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CRIME NO.17/07 OF NJARACKAL POLICE STATION

: PETITIONERS/ACCUSED NOS.1 TO 4:
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1. SHAIJU, AGED 23 YEARS,
S/O. SASI, KARATHARA HOUSE, ELAMKUNNAPUZHA,
PUKKAD, NJARACKAL.

2. SUMESH @ JEEMON, AGED 29 YEARS,
S/O. KUNJAPPAN, KALATHIL HOUSE, ELAMKUNNAPUZHA,
PUKKAD, NJARACKAL.

3. RAJESH, AGED 23,
S/O. CHANDRAN, MARANGATTUTHARA HOUSE,
ELAMKUNNAPUZHA, PUKKAD, NJARACKAL.

4. JINESH, AGED 19 YEARS,
S/O. CHANDRAN, MARANGATTUTHARA HOUSE,
ELAMKUNNAPUZHA, PUKKAD, NJARACKAL.

BY ADV. SRI.K.V.SABU

RESPONDENTS: COMPLAINANT:

CIRCLE INSPECTOR OF POLICE,
NJARACKAL P.S., REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.899 OF 2007

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DATED THIS THE 14th DAY OF FEBRUARY, 2007

O R D E R

Petitioners who are accused Nos.4, 1, 2 and 3 respectively in Crime No.17/07 of Njarakkal Police Station for offences punishable under sections 143, 147, 148, 341, 324 and 307 read with section 149 IPC, seek anticipatory bail.

2. Learned Public Prosecutor opposed the application. The occurrence took place at about 10.15 PM on 14.1.2007 involving 12 assailants armed with deadly weapons like sword, stick, etc. The occurrence took place in a Church compound resulting in injuries to four persons and damage to property worth Rs.1,700/=.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer for interrogation and recovery of incriminating materials, if any and then to have their application for bail ordered by the Magistrate. Accordingly, the petitioners are directed to surrender before the Investigating Officer on any day between 19.2.2007 and 21.2.2007 for the purpose of interrogation and recovery of incriminating materials, if any,. The petitioners shall thereafter be produced before the concerned

Magistrate on the same day. The Magistrate shall consider and dispose of the application, if any, filed by the petitioners for regular bail, preferably on the same date on which it is filed.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn